

James R. Dickens
MILLER NASH LLP
4400 Two Union Square
601 Union Street
Seattle WA 98101-2352
Telephone: (206) 622-8484

Judge Ralph R. Beistline

Peter Gruenstein
GRUENSTEIN & HICKEY
Resolution Plaza
1029 W. 3rd Avenue, Suite 510
Anchorage AK 99501
Telephone: (907) 258-4338

Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

MYRNA I. JOHNSON,

Plaintiff,

v.

FRED MEYER STORES, INC., a Delaware corporation; and JAIME SAN MIGUEL,

Defendants.

Case No. 1J-04-008-CV (RRB)

ORDER DENYING PLAINTIFF'S MOTION TO REOPEN DISCOVERY

Plaintiff filed a motion requesting the reopening of discovery. The current action has been pending for over two years and there has been substantial discovery to date. Plaintiff's third set of requests for production of documents on May 26, 2006, was outside the scope of the stipulated extension of discovery from April 28, 2006, to July 1, 2006, for limited depositions. While Fred Meyer responded to those requests for production more than 30 days later, the delayed responses did not prejudice plaintiff because the discovery cutoff date was within a few days of the 30 days after service. Furthermore, the documents at issue relate to actions occurring several months after the termination of plaintiff and do not relate

to plaintiff per se, so their potential relevance is limited and further discovery on those documents is unwarranted.

For the reasons set forth herein, plaintiff's motion to reopen discovery is DENIED.

DATED this _____ day of _____, 2006.

Ralph R. Beistline
United States District Judge

MILLER NASH LLP
ATTORNEYS AT LAW
4400 TWO UNION SQUARE
601 UNION STREET, SEATTLE WA 98101-2352
TELEPHONE (206) 622-8484

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